

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Datrone Howington

Docket No. 5:01-CR-253-2BO

Petition for Action on Supervised Release

COMES NOW Taron N. Seburn, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Datrone Howington, who, upon an earlier plea of guilty to Conspiracy to Commit Armed Bank Robbery, in violation of 18 U.S.C. § 371, and Use, Carry, and Brandish a Firearm During and in Relation to a Crime of Violence and Aiding and Abetting, in violation of 18 U.S.C. §§ 924(c)(1)(A)(iii) and 2, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on September 27, 2002, to the custody of the Bureau of Prisons for a term of 144 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Datrone Howington was released from custody on August 9, 2012, at which time the term of supervised release commenced.

On May 18, 2015, a Petition For Action was filed after the defendant tested positive for cocaine, which was confirmed by laboratory analysis on May 11, 2015. The defendant also failed to pay \$50 per month toward his restitution obligation as previously instructed. The defendant received a verbal reprimand for his drug use, was counseled for his actions, and referred for outpatient substance abuse treatment. As a sanction for this violation, the defendant was required to serve 2 days in the custody of the Bureau of Prisons.

On August 6, 2015, a Petition For Action was filed after the defendant tested positive for cocaine. The defendant signed an admission of drug use form, and as a sanction he was required to serve 5 days in the custody of the Bureau of Prisons.

On October 16, 2015, a Violation Report was filed after the defendant signed an admission of drug use form on September 17, 2015, advising he used marijuana on September 9, 2015. The court allowed the defendant to remain under supervision as the defendant had a pending 5 day jail designation scheduled to begin on October 1, 2015, at the Cumberland County Jail.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant tested positive for cocaine on October 3 and November 2, 2016. The results of the drug tests were confirmed by laboratory analysis on October 17 and November 11, 2016, respectively, and the defendant signed an admission of drug use form acknowledging his use of cocaine as reported. He was verbally reprimanded, counseled for his actions, and has been instructed to enroll in treatment at Substance Abuse Professionals of Wilson, North Carolina. As a sanction for this violation, we are recommending that he serve ten (10) days in jail as directed by the probation officer. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 10 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Taron N. Seburn
Taron N. Seburn
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2335
Executed On: December 1, 2016

ORDER OF THE COURT

Considered and ordered this 5 day of December, 2016, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge